

# **TITLE 312 NATURAL RESOURCES COMMISSION**

LSA Document #08-931(E)

## **DIGEST**

Temporarily amends 312 IAC 9 concerning the taking of raccoons, beavers, and muskrats at several state parks and reservoir properties, to allow the property manager of any state park and reservoir listed to authorize a person or persons to take any raccoon, beaver, or muskrat from that state park or reservoir. Under IC 4-22-2-37.1, IC 14-22-2-6 and IC 14-22-6-13, the director of the department of natural resources temporarily amends the existing rule as set forth in this document. This action is taken with awareness that the regulation of wild animals in Indiana is the responsibility of the department of natural resources. In addition, the director is responsible for controlling wild animals that pose obvious and measurable damage to the ecological balance or the health or safety of one or more individuals in a state park, and the director finds that the density of the raccoon, beaver, or muskrat populations have risen at the listed state parks to a level that they pose a health risk to persons present on those properties. Health risks are posed as a result of diseases that may be carried by the raccoons, including rabies and raccoon round worms. Also, the density has contributed to raccoons exhibiting behavior that is characterized by aggressiveness and a lack of fear toward humans. This behavior poses a hazard to humans and particularly to small children, and also, beavers or muskrats are causing damage to plant communities by raising water levels and flooding portions of hiking trails, adversely affecting water control structures, compromising causeways or embankments, and, in some cases, backing water onto adjacent private property. Effective December 10, 2008.

**SECTION 1. (a) Notwithstanding 312 IAC 9-2-11, 312 IAC 8-2, and any other provision governing taking a wild animal within a state park or reservoir property, an individual qualified under this SECTION may take any raccoon, beaver, or muskrat from or within the state parks and reservoir properties listed in subsection (b).**

**(b) The state parks and reservoirs to which this document applies are as follows:**

- (1) Brookville Reservoir Property.**
- (2) Brown County State Park.**
- (3) Cagles Mill Reservoir Property.**
- (4) Chain O'Lakes State Park.**
- (5) Charlestown State Park.**
- (6) Clifty Falls State Park.**
- (7) Falls of the Ohio State Park.**
- (8) Fort Harrison State Park.**
- (9) Hardy Reservoir Property.**
- (10) Harmonie State Park.**
- (11) Indiana Dunes State Park.**
- (12) J. Edward Roush Reservoir Property.**

- (13) Lincoln State Park.**
- (14) McCormick's Creek State Park.**
- (15) Mississinewa Reservoir Property.**
- (16) Monroe Reservoir Property.**
- (17) Mounds State Park.**
- (18) O'Bannon Woods State Park.**
- (19) Ouabache State Park.**
- (20) Patoka Reservoir Property.**
- (21) Pokagon State Park.**
- (22) Potato Creek State Park.**
- (23) Prophetstown State Park.**
- (24) Raccoon Reservoir Property.**
- (25) Salamonie Reservoir Property.**
- (26) Shades State Park.**
- (27) Shakamak State Park.**
- (28) Spring Mill State Park.**
- (29) Summit Lake State Park.**
- (30) Tippecanoe River State Park.**
- (31) Turkey Run State Park.**
- (32) Versailles State Park.**
- (33) Whitewater State Park.**

**(c) In order to qualify under subsection (a), a person must satisfy both of the following requirements:**

- (1) Possess written authorization from the property manager of the referenced state park or reservoir property to act under this document.**
- (2) Possess a nuisance wild animal control permit issued under 312 IAC 9-10-11 if:**
  - (A) a raccoon or muskrat is taken other than from November 15, 2008 through January 31, 2009; or**
  - (B) a beaver is taken other than November 15, 2008 through March 15, 2009.**

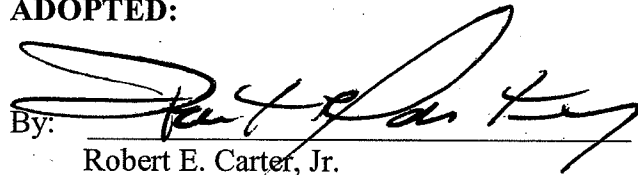
**SECTION 2. Section 1 of this document expires December 10, 2009.**

# Rule Signature Page

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Rule #: LSA #08-931 (E)  
Agency: Natural Resources Commission  
Subject: Nuisance Animals in State Parks & Reservoirs

**ADOPTED:**

By:  Date: 12/9/2008  
Robert E. Carter, Jr.  
Director  
Department of Natural Resources

**ACCEPTED FOR FILING:**

By: \_\_\_\_\_  
TITLE 312 NATURAL RESOURCES COMMISSION  
LSA Document #08-931(ER)

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By: Rlw